

1199 SEIU UNITED HEALTHCARE WORKERS EAST

Plaintiff(s)

Index # 07 CIV 8654

- against -

Purchased October 5, 2007

EASTCHESTER REHABILITATION AND HEALTH CARE CENTER

Defendant(s)

AFFIDAVIT OF SERVICE

STATE OF NEW YORK: COUNTY OF NEW YORK ss:

LUIS AGOSTINI BEING DULY SWORN DEPOSES AND SAYS DEPONENT IS NOT A PARTY TO THIS ACTION, OVER THE AGE OF EIGHTEEN YEARS AND RESIDES IN THE STATE OF NEW YORK.

That on October 15, 2007 at 02:00 PM at

2700 EASTCHESTER ROAD
BRONX, NY 10469

deponent served the within SUMMONS AND COMPLAINT; INDIVIDUAL PRACTICES OF MAGISTRATE JUDGE ANDREW J. PECK; INDIVIDUAL PRACTICES OF NAOMI REICE BUCHWALD* on EASTCHESTER REHABILITATION AND HEALTH CARE CENTER therein named,

**SUITABLE
AGE**

by delivering thereat a true copy of each to VICTOR BENJAMIN a person of suitable age and discretion. Said premises is Defendant's actual place of business within the state. He identified himself as the GENERAL-AGENT of the Defendant.

Deponent further states that he describes the person actually served as follows:

Sex	Skin Color	Hair Color	Age (Approx.)	Height (Approx.)	Weight (Approx)
MALE	BLACK	BLACK	47	5'6	170

MUSTACHE, GLASSES

MAILING

Deponent enclosed a copy of same in a postpaid wrapper properly addressed to the Defendant at the Defendant's actual place of business at

2700 EASTCHESTER ROAD
BRONX, NY 10469

and deposited said wrapper in a post office or official depository under exclusive care and custody of the United States Postal Service within New York State on October 16, 2007 by REGULAR FIRST CLASS MAIL in an envelope marked PERSONAL & CONFIDENTIAL and not indicating on the outside thereof, by return address or otherwise, that the communication is from an attorney or concerns an action against the person to be served.

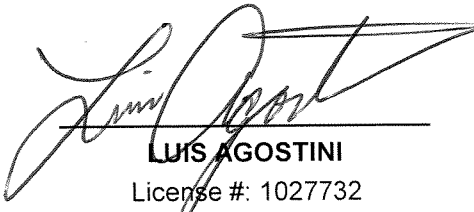
*UNITED STATES DISTRICT JUDGE

That at the time of such service deponent knew the person so served as aforesaid to be the same person mentioned and described as the Defendant in this action.

Sworn to me on: October 16, 2007

JOEL GRABER
Notary Public, State of New York
No. 02GR4699723
Qualified in New York County
Comm. Expires February 10, 2010

JONATHAN GRABER
Notary Public, State of New York
No. 01GR6156780
Qualified in New York County
Comm. Expires December 4, 2010


LUIS AGOSTINI
License #: 1027732
Invoice #: 449639

JUDGE D. SCHWALD
United States District Court
SOUTHERN DISTRICT OF NEW YORK

1199 SEIU UNITED HEALTHCARE WORKERS
EAST,

SUMMONS IN A CIVIL CASE

V.

CASE NUMBER:

EASTCHESTER REHABILITATION AND HEALTH CARE
CENTER

07 CIV 8654

TO: (Name and address of Defendant)

Eastchester Rehabilitation and Health Care Center
2700 Eastchester Road
Bronx, NY 10469

YOU ARE HEREBY SUMMONED and required to serve upon PLAINTIFF'S ATTORNEY (name and address)

LOWELL PETERSON, ESQ.
MEYER, SUOZZI, ENGLISH & KLEIN, P.C.
1350 BROADWAY, SUITE 501
NEW YORK, NY 10018

an answer to the complaint which is herewith served upon you, within 20 days after service of this summons upon you, exclusive of the day of service. If you fail to do so, judgment by default will be taken against you for the relief demanded in the complaint. You must also file your answer with the Clerk of this Court within a reasonable period of time after service.

J. MICHAEL McMAHON

OCT 05 2007

CLERK

DATE

Mari Wain

(BY) DEPUTY CLERK

AO 440 (Rev. 10/93) Summons in a Civil Action –SDNY WEB 4/99

RETURN OF SERVICEService of the Summons and complaint was made by me¹

DATE

NAME OF SERVER (PRINT)

TITLE

Check one box below to indicate appropriate method of service☐ Served personally upon the defendant. Place where served: _____☐ Left copies thereof at the defendant's dwelling house or usual place of abode with a person of suitable age and discretion then residing therein.

Name of person with whom the summons and complaint were left: _____

☐ Returned unexecuted: _____☐ Other (specify): _____**STATEMENT OF SERVICE FEES**

TRAVEL

SERVICES

TOTAL

DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on _____
Date_____
Signature of Server_____
Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.